REMARKS

Claims 2, 4-10 and 27-29 are pending in the application. Claims 1, 3 and 11-26 have been cancelled. Claim 2 is currently amended. Support for the amendment can be found throughout the specification, and in the original claims as filed.

Regarding the rejection of claim 2 under 35 U.S.C. §112, for lack of an enabling disclosure, claim 2 as currently amended is enabling insofar as it includes all the botanical ingredients used in the clinical and animal studies referenced in the specification. The Office Action acknowledges that the specification is "enabling for using Actaea rubra, Anemone hepatica, Anemone nemorosa, Nigella sativa, and Ranunculus arvensis in a herbal composition." Claim 2 as currently amended now recites the aforesaid composition containing all five botanicals.

Regarding the rejection of claim 2 under 35 U.S.C. §112, as being indefinite, the vagueness has been eliminated by applying the 20% concentration to the extract of all five botanicals, instead of to Nigella sativa only. Ranges of the relative ratios of the botanicals within the extract are set forth in the specification.

Regarding the rejection of claims 2, 4-10 and 27-29, under 35 U.S.C. §103(a), as being unpatentable over Turkdogan et al., in view of "Botanical-A Modern Herbal: Anemone hepatica", and in further view of Khan et al., the composition recited in claim 2 as currently amended includes three additional botanical ingredients (Anemone rubra, Anemone numorosa and Ranunculus arvensis) that are not taught by the cited reference. Therefore, the references in combination do not teach every element of the invention as claimed. With regard to the independent claim 2 and the dependent claims 4-10 and 27-29, therefore, the rationale for the obviousness rejection no longer applies.

Accordingly, all pending claims should now be allowed.

Dated: December 17, 2009

Respectfully submitted,

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